



STATE OF MICHIGAN

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DEPARTMENT OF LABOR & ECONOMIC GROWTH
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Michigan Occupational
Safety & Health Administration
(MIOsha)

GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MEETING

FEBRUARY 9, 2005--9:30 A.M.

**STATE SECONDARY COMPLEX, 7150 HARRIS DRIVE, LANSING
GENERAL OFFICE BUILDING, CONFERENCE ROOM B**

MINUTES

MEMBERS PRESENT:

Mr. Thomas Pytlik, Chairperson
Mr. James Baker, Vice Chairperson
Dr. Tycho Fredericks

Mr. Timothy Koury
Mr. John Pettinga

MEMBERS ABSENT:

Mr. Michael Eckert
Ms. Geri Johnson

Mr. George Reamer

DEPARTMENT PERSONNEL PRESENT:

Mr. John Brennan, Director, General
Industry Safety & Health Division
Mr. Jim Gordon, General Industry
Safety & Health Division
Ms. Christine Hundt, Standards Section

Ms. Marsha Parrott-Boyle, Program
Manager, Standards Section
Ms. Martha Yoder, Deputy Director,
MIOsha

VISITORS ATTENDING:

Mr. Steve Shepard, UAW

MISSION STATEMENT

THE MISSION OF THE GENERAL INDUSTRY SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

OUR VISION IS TO BE A RECOGNIZED LEADER IN SAFETY FOR THE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.



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Agenda Item #1--Call to Order and Roll Call

The February 9, 2005 General Industry Safety Standards Commission meeting was called to order by Chairperson Pytlik. A roll call was taken and a quorum was present.

Agenda Item #2--Approval of Minutes for October 6, 2004 Minutes

A motion was made by Commissioner Baker and was seconded by Commissioner Koury to approve the minutes of the October 6, 2004 Commission meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3--Standards Section Update--Marsha Parrott-Boyle

The Standards Section has approval to hire a Department Analyst to assist in the development and promulgation of standards. The Section has accepted a 4th-year Ferris State University student as an intern to do a comparison of MIOSHA versus OSHA standards. He will begin with the most commonly used standards.

An update was given to review the progress of rules undergoing revision. Construction Safety Standard Part 7 Welding and Cutting was amended effective January 12, 2005.

It was noted that per "MIOSHA Goals for FY 2004-2008" the Standards Section is striving to reduce the backlog of standards to be reviewed by 70%. This number is based on 25 standards and equates to about 4 standards per year.

Several handouts were distributed and discussed including a summary of standards in the promulgation process, a Code of Conduct for Boards and Commissions, a Conflict of Interest Policy for Boards and Commissions, a Michigan Safety Conference brochure, and a CDC Workplace Solutions bulletin.

Ms. Parrott-Boyle also asked each Commissioner to fill out a meeting evaluation form and return it to her.

Agenda Item #4--General Industry Safety and Health Division Update--John Brennan, Director

Mr. Brennan informed the Commission that GISHD currently has 25 safety officers, 19 industrial hygienists, and 2 field investigators in the Employee Discrimination Section. GISHD is currently in the process of hiring 4 industrial hygienists and 2 safety officers.

Because of a backlog of cases in Employee Discrimination, overtime was initiated and additional staff was assigned. One of the strategic plan goals was to resolve 75% of all MIOSHA discrimination cases within 90 days of receipt of complaint.

There was a workgroup assessing the ISA appeal process so that there would be one consistent procedure used by the whole agency. A directive has been completed on this topic.

There is a workgroup consisting of construction safety and general industry safety staff analyzing how the Divisions are assessing the probability and severity in good faith reductions, how failure to abate and repeat violations are handled, how regulatory administrative rules are cited, and how abatement verification is done.

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There is also a workgroup reviewing different forms that the agency is using in order to make them consistent.

During the December Division staff meeting there was cross training done on Act 154, ADM Part 13 Inspections and Investigations. Training was provided for all staff on the Permit-Required Confined Space Standard. Safety officers were provided training on the Respiratory Protection and Ventilation Standards. The industrial hygienists were provided training on the Lockout/Tagout Standard.

Four fatalities have occurred this year--two construction related and two general industry. A total of 44 fatalities occurred for 2004--22 construction related and 22 general industry. The general industry fatalities were reviewed in detail.

Agenda Item #5--MIOSHA Update--Martha Yoder, Deputy Director

MIOSHA now has a new logo that will be used on stationery, posters, etc. in honor of its 30th anniversary. There are many plans in the works to celebrate this anniversary and to emphasize the importance of safety and health in the workplace. There is an e-media project underway which provides a free CD that gives general training for general industry employers. MIOSHA is hoping to have a Governor-supported summit for manufacturing in Michigan in October. There is also a "Stand Down for Safety Day" planned to work toward an accident-free day in Michigan--preferably a day around Labor Day. An historical flyer is in the review process which will go out with mailings and will be posted on the website. There will be posters and banners to put up in state office buildings and leased buildings where MIOSHA has an office.

There is a project underway internally that involves the old standards interpretative memos and staff instructions. These documents will be posted on the web site as less formal "Interpretations" rather than being turned into Division Instructions under the Document Management System.

MIOSHA is looking at developing a customer comment card that all field staff will carry and leave with each intervention they do.

Ms. Yoder distributed and discussed three handouts to the Commission: FY2004 MIOSHA Safety and Health Quick Facts; a news release entitled, "MIOSHA Delays Requirements for Annual Fit Testing for Occupational Exposure to Tuberculosis; and a news release entitled, "MIOSHA Reminds Employers to Post Injury/Illness Summary.

The Federal FY 06 proposed budget for OSHA is a continuation budget with some economic increases with one exception. This exception being the elimination of the 10.2 million dollars in the OSHA budget for their Susan Harwood training grant program. That would be a significant loss--there are several Michigan organizations including the UAW that have those training grants.

The ISA and Appeals Instruction, Multi-Employer Worksites Instruction, and Confined Space Entry Instruction have all been posted on the web.

Each MIOSHA employee has received a copy of "Safety and Health Management System for MIOSHA Employees."

A new partnership has been formed with Walbridge Aldinger. This involves a 30-month sewage construction project in the Detroit area with a goal of being an accident-free project.

Agenda Item #6--OSHA Update--Cynthia Hutchens-Smith, Lansing Area Director

Ms. Hutchens-Smith was unable to attend the meeting.

Ms. Parrott stated that OSHA is continuing to remove and revise provisions of its standards that are outdated, duplicative, unnecessary, or inconsistent, or can be clarified or simplified by being written in plain language. The Agency completed Phase I of the Standards Improvement Project in June 1998. In this Phase II of the Standards Improvement Project, OSHA is again revising or removing a number of health provisions in its standards for general industry, shipyard employment, and construction. The Agency believes that the changes streamline and make more consistent the regulatory requirements in OSHA health and safety standards. In some cases, OSHA has made substantive revisions to requirements because they are outdated, duplicative, unnecessary, or inconsistent with more recently promulgated health standards. The Agency believes these revisions will reduce regulatory requirements for employers without reducing employee protection.

Agenda Item #7--Old Business

Part 18. Cranes

Commissioner Koury had some concerns regarding the proposed amendment to Part 18. These concerns involved the need for additional definitions that could be added to the standard or clarified in the standard. However, it was agreed that these concerns could be addressed in a revised Compliance Guideline. Part 18 will, therefore, be forwarded for formal approval by ORR/LSB and review by JCAR.

Ergonomics Standard Progress Report

Commissioner Fredericks presented Draft #2 of an Ergonomics Standards to the Commission. The Commission members' responses were overwhelmingly positive. They were especially pleased with the size of the rule and were impressed with how well their guidelines were followed. Their only suggestions were to keep the definitions simple and to check into adding a statement that the standard will not interfere with worker compensation laws.

Thus far no "definitions" have been added to the standard. The Commission invited the Co-chairs of the Ergonomics Standard Advisory to come speak to the Commission after "definitions" have been added.

Agenda Item #8--New Business

Advisory Committee Application from Robert Gora for: Part 1-General Provisions, Part 21-Powered Industrial Trucks, Part 22-Tractors, and Part 33-Personal Protective Equipment

A motion was made by Commissioner Pettinga and was seconded by Commissioner Koury to table the appointment of Robert Gora as a Representative for Parts 1, 21, 22, & 33 due to the lack of advisory committee activity anticipated in the next few years. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #9--Next Meeting

The next General Industry Safety Standards Commission meeting will be held in conjunction with the Michigan Safety Conference on Tuesday, April 19 at 10:30 a.m. The meeting will take place at the Radisson Hotel, Regency Room II, 111 North Grand Avenue in Lansing.

Agenda Item #10--Public Comment

Steve Shepard (UAW) stated that he learned a lot at the Commission meeting. He likes the way the Ergonomics Standard Advisory Committee is progressing with their work. He hopes that MIOSHA will be able to continue to do training through their Consultation Education and Training Division in spite of possible budget restraints.

Agenda Item #11--Adjournment

With no further business before the Commission, the meeting was adjourned.

Mr. Thomas Pytlik, Chairperson

Date